

EXHIBIT 8

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

LINCOLN JONES, JR. and
MUYESSER NILE JONES,
individually and as trustees
of the Lincoln and M. Nile
Jones Revocable Trust; and
PROJECT SENTINEL, INC.,

Plaintiffs,

vs.

Case No.
CV 13-02390 LHK PSG

TRAVELERS CASUALTY INSURANCE
COMPANY OF AMERICA,

Defendant.

_____ /

VIDEOTAPED 30(B)(6) AND PERSONAL
DEPOSITION OF ANN MARQUART
VOLUME I
PAGES 1 to 167

DATE: Friday, July 25, 2014

TIME: 10:38 a.m.

LOCATION: Carlson Calladine & Peterson, LLP
353 Sacramento Street, 16th Floor
San Francisco, California

REPORTED BY: SHELLEY M. SAILOR
California CSR No. 10254

MBreporting
111 Deerwood Road, Suite 200
San Ramon, CA 94583
(925) 989-6080

Jones v. Travelers

1 THE VIDEOGRAPHER: Good morning. We are on
2 the record in the matter of Jones versus Travelers
3 venued in the U.S. District Court for the Northern
4 District of California, San Jose Division. Case
10:38 5 number is CV 13-02390 LHK PSG.

6 Today's date is July 25th, 2014, and the
7 time is 10:38 a.m. We are located at the offices of
8 Carlson Calladine & Peterson, 353 Sacramento Street,
9 16th Floor, San Francisco, California.

10:38 10 This is media number one, Volume I of the
11 deposition of Ann Marquart. The videographer is
12 Steve Patapoff on behalf of MBreporting.

13 Counsel, please state your name and whom
14 you represent.

10:39 15 MR. COOPER: Michael Cooper for defendant.

16 MS. CRISTOL-DEMAN: Liza Cristol-Deman with
17 Elizabeth Brancart on behalf of plaintiffs.

18 THE VIDEOGRAPHER: Will the court reporter
19 please swear in the witness.

20 ANN MARQUART,
21 called as a witness and, having been by me duly
22 sworn, was thereupon examined and testified as
23 hereinafter set forth.

EXAMINATION BY MR. COOPER

10:39 25 Q. Would you please state your name for the

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1 record.

2 A. Ann Marquart.

3 Q. And, Ms. Marquart, have you ever had your

4 deposition taken before?

10:39 5 A. Yes, I have.

6 Q. On how many occasions?

7 A. More than five. I don't know how many.

8 Q. So you're somewhat familiar with the

9 process.

10:39 10 A. Yes, I am.

11 Q. Have you had your deposition taken in the

12 last five years?

13 A. Yes, I have.

14 Q. On how many occasions?

10:39 15 A. A couple occasions.

16 Q. Was this all in connection with your work

17 at Project Sentinel?

18 A. Yes, it was.

19 Q. All right. Then I won't belabor the

10:40 20 admonitions, if you will, but I will go through a

21 couple of them real quickly with you.

22 Umm, first of all, it's important that you

23 do answer audibly like you're doing. Even though

24 we're videotaping today, it's important that the

10:40 25 court reporter gets an accurate record, and she

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1 A. That it could be a very challenging case
2 and that she was glad to think that Brancarts might
3 be interested in it.

4 Q. Anything else did you discuss with her that
12:34 5 you recall?

6 A. Well, again, the facts of the case.

7 Q. Right. Other than just the facts that you
8 have already provided us, is there anything else you
9 remember about that conversation that either you
12:35 10 said or that Ms. Kirkland said to you other than
11 just the facts of the case and the comment she made
12 that it would be a challenging case and she was glad
13 that the Brancart firm was interested?

14 A. The concept is a worthy one to pursue.

12:35 15 Q. Did she explain what that "worthy one to
16 pursue" --

17 A. Those are my words. Those aren't exactly
18 her words.

19 Q. All right. Fair enough. Umm, moving on to
12:35 20 the 16th of May, 2013, you had conversations with
21 staff regarding best way to generate a mailing list
22 of rental property owners.

23 A. Yes.

24 Q. What was your intent -- what was the
12:35 25 purpose of generating a mailing to rental property

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1 owners? What was your reasoning behind doing that?
2 A. To inform them that it could be an
3 insurance practice that we considered to be a fair
4 housing violation, and if they have experience with
12:36 5 it, for them to be able to recognize it as such and
6 to contact us.
7 Q. And what was the geographical scope, if you
8 will, of this intended mailing to rental property
9 owners? Was it Santa Clara County, was it the
12:36 10 entire region that Project Sentinel covered?
11 A. Well, we were certainly looking at what we
12 were trying to figure out what options we had. So
13 certainly we wanted to focus on Santa Clara County,
14 but our interest was as expansive as we could make
12:36 15 it, too.
16 Q. And ultimately how expansive was it?
17 A. Let's see.
18 Q. We can look at documents if you want to
19 later. I just want to know if you knew roughly off
12:37 20 the top of your read.
21 A. I believe we, we mailed some literature to
22 housing authorities well outside of Santa Clara
23 County.
24 Q. This is just -- it says rental property
12:37 25 owners.

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1 A. Oh. And you're asking what we were
2 trying to -- rental property owners in Santa Clara
3 County.
4 Q. Okay. That was your focus?
12:37 5 A. That was a focus.
6 Q. Did you intend to include other rental
7 property owners outside of Santa Clara County?
8 A. We have -- we have an interest in doing
9 that, yes.
12:37 10 Q. But I mean at this stage -- was that your
11 intent with respect to this particular mailing to
12 rental property owners, was your focus on getting
13 out the mailings to rental property owners within
14 Santa Clara County?
12:37 15 A. That was our first focus, yes.
16 Q. And do you know if that was actually
17 accomplished, that mailers were sent out to rental
18 property owners in Santa Clara County?
19 A. We had some mailing, yes.
12:38 20 Q. Were you able to obtain a list of all the
21 rental property owners in Santa Clara County?
22 A. No.
23 Q. And did you obtain a partial list?
24 A. We obtained a list of some.
12:38 25 Q. And where did you obtain that list from?

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1 A. City of Santa Clara.

2 Q. So would these have been rental -- the list

3 you obtained, was that a list of the rental property

4 owners in the city of Santa Clara?

12:38 5 A. Yes.

6 Q. As opposed to the city of San Jose or

7 Gilroy or some other place.

8 A. That's correct.

9 Q. Did you ever obtain a list of additional

12:38 10 landlords, rental property owners in which to send

11 flyers to?

12 A. I'm not sure if we received any other list.

13 Q. So as far as you recall sitting here today,

14 that if there were any -- the rent -- the flyers

12:38 15 that were sent to rental property owners would have

16 been limited to the city of Santa Clara?

17 A. And I also would want to look through some

18 of the documents to see if there is an indication of

19 others.

12:39 20 Q. I understand. I just mean as you're

21 sitting here today right now.

22 A. Yeah.

23 Q. Okay. I don't want to belabor this, but if

24 you look at May 17 and May 21.

12:39 25 A. Uh-huh.

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1 Q. There's contacted Jeff Pedersen at the City
2 of Santa Clara, then sent request to Los Gatos,
3 Mountain View, San Jose.

4 Did you ever receive mailing lists? Does
12:39 5 this refresh your recollection at all?

6 A. Well, I do remember the mailing list from
7 Santa Clara City very clearly.

8 Q. Okay, but the other names don't --

9 A. Well, I remember asking, soliciting the
12:39 10 list from the others, from Mountain View and from
11 Los Gatos. And I do see here an entry saying
12 mailing list -- obtained mailing list and it
13 includes Los Gatos, so we may have mailed some to
14 property owners in Los Gatos.

12:40 15 Q. Let's mark one more quickly, and then we
16 can break for lunch.

17 (Off the record discussion.)

18 (Exhibit 173 was marked for
19 identification.)

12:40 20 BY MR. COOPER:

21 Q. We have marked as Exhibit 173 a document
22 bearing of the Date number PS 00342. Handwritten
23 notations at the top, looks like it says "Travelers
24 Insurance."

12:40 25 Do you recognize 173?

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1 A. Yes.

2 Q. Is this your handwriting?

3 A. Yes, it is.

4 Q. Do you remember when you first took

12:40 5 these -- well, let's back it up a little bit.

6 At the upper half of the page, if you will,

7 there's some handwritten notations but there's no

8 date. And then there's a date. It looks like it

9 says December 12. 12/12/12. December 12, 2012 and

12:41 10 then December 13, 2012. Do you know the date that

11 the upper portion was written?

12 A. No.

13 Q. Would that have been December 7?

14 A. Umm, you know, I really don't know. I

12:41 15 can't tell you exactly.

16 Q. If you could -- the upper portion, was this

17 written by you during a conversation you had with

18 Mr. and Mrs. Jones?

19 A. Umm, I probably wrote these words on this

12:41 20 piece of paper afterwards. But -- because it's more

21 legible.

22 Q. Okay.

23 A. But shortly after. And I am not sure about

24 the dates.

12:42 25 Q. Okay. Was your main -- your primary

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1 contact, if you will, during this period of late
2 2012, early 2013, with the Joneses, was it
3 Mrs. Jones as opposed to Mr. Jones?

4 A. I only talked to Mrs. Jones.
12:42 5 Q. Okay.

6 THE REPORTER: 174.

7 (Exhibit 174 was marked for
8 identification.)

9 BY MR. COOPER:
12:43 10 Q. Marked as Exhibit 174 a document bearing
11 the Date numbers PS 004 through 7. I would like you
12 to take a look at Exhibit 174 and tell me if you
13 recognize this document.

14 A. I do recognize it.
12:43 15 Q. Okay. What is this document?

16 A. It's a fax from Mrs. Jones to me regarding
17 her policy.

18 Q. Okay. And she's attached some documents
19 from Travelers on the last three pages --

20 A. Yes.
21 Q. -- of this fax?

22 A. Yes.
23 Q. And is any of this your handwriting?

24 A. No. None of it is my handwriting.
12:43 25 Q. And it looks like this fax was sent to you

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1 on December 14, 2012.

2 A. Yes.

3 MR. COOPER: All right. This is probably a
4 good time to take a break.

12:44 5 MS. CRISTOL-DEMAN: Okay.

6 MR. COOPER: Now that your sandwiches have
7 been sitting there.

8 THE VIDEOGRAPHER: This is the end of tape
9 number one. The time is 12:44. We are going off
12:44 10 the record.

11 (Lunch recess was taken from

12 12:44 p.m. to 1:33 p.m.)

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2 I hereby declare I am the deponent in the
within matter; that I have read the foregoing
3 deposition and know the contents thereof, and I
declare that the same is true of my knowledge except
4 as to the matters which are therein stated upon my
information or belief, and as to those matters, I
5 believe it to be true.

I declare under the penalties of perjury of
the State of California that the foregoing is true
and correct.

7

8 Executed this _____ day of
_____, 201____, at

9

,
(City),
(State)

5

41 ANN MARQUART

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Jones v. Travelers

1 ::: CERTIFICATE OF REPORTER :::

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3 I, SHELLEY M. SAILOR, a Certified Shorthand
4 Reporter, holding a valid and current license issued
5 by the State of California, CSR No. 10254, duly
6 authorized to administer oaths, do hereby certify:

7 That the witness in the foregoing
8 deposition was by me duly sworn to testify the truth
9 in the within-entitled cause; that said deposition
10 was taken at the time and place therein cited; that
11 testimony of said witness was reported by me and
12 thereafter transcribed under my direction into
13 typewriting; that the foregoing is a complete and
14 accurate record of said testimony; and that the
15 witness was given an opportunity to read and correct
16 said deposition and to subscribe the same.

17 Should the signature of the witness not be
18 affixed to the deposition, the witness shall not
19 have availed herself of the opportunity to sign or
20 the signature has been waived.

21 I further certify that I am not of counsel
22 nor attorney for any of the parties in the foregoing
23 deposition and caption named nor in any way
24 interested in the outcome of the cause named in said
25 caption.

26 Reading and Signing was REQUESTED.

27

28 DATED: July 30, 2014

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38 SHELLEY M. SAILOR
39 California CSR No. 10254

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